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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GIL CROSTHWAITE and RUSS BURNS, in
their respective capacities as Trustees of the
OPERATING ENGINEERS' HEALTH AND
WELFARE TRUST FUND, et al.,

Plaintiffs,

v.
FOSTER & SONS GENERAL
ENGINEERING CONTRACTORS, INC., a
California corporation,
Defendant.

Case No.: C10-0457 MMC

**STIPULATION FOR EXTENSION OF
AMENDED MOTION FOR DEFAULT
JUDGMENT HEARING DATE**

Date: August 13, 2010
Time: 9:00 a.m.
Location: 450 Golden Gate Avenue
San Francisco, California
Courtroom: 7, 19th Floor
Judge: Honorable Maxine M. Chesney

Plaintiffs and Defendant jointly request that the Amended Motion for Default Judgment hearing currently scheduled for August 13, 2010, at 9:00 a.m., be extended for two weeks, as follows:

1 1. Plaintiff OPERATING ENGINEERS' HEALTH AND WELFARE TRUST FUND
2 filed an Amended Motion for Default Judgment ("Motion") against Defendant FOSTER & SONS
3 GENERAL ENGINEERING CONTRACTORS, INC. on July 9, 2010.

4 2. The Motion is set for hearing for August 13, 2010.

5 3. The parties are presently engaging in settlement negotiations, which, if successful,
6 will resolve this matter.

7 4. We therefore jointly request that the Amended Motion for Default Judgment
8 hearing be continued to August 27, 2010 in order to allow Plaintiffs time to prepare the Stipulation
9 for Defendant to review and execute it.

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11 Dated: July 23, 2010

SALTZMAN & JOHNSON
LAW CORPORATION

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/s/
Michele R. Stafford
Attorney for Plaintiffs

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16 Dated: July 23, 2010

McCORMICK, BARSTOW, SHEPPARD,
WAYTE and CARRUTH, LLP

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/s/
Marisa L. Balch, Esq.
Attorney for Defendant

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ORDER

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The Amended Motion for Default Judgment hearing currently scheduled for August 13, 2010 at
22 9:00 a.m. is hereby extended to August 27, 2010.

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Date: July 28, 2010

Majine M. Cheney
UNITED STATES DISTRICT COURT JUDGE